



STATE OF NEW JERSEY

Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF)	<u>ORDER OF AMENDMENT</u>
CABLEVISION OF PATERSON, INC. FOR)	<u>OF AN AUTOMATIC RENEWAL</u>
AMENDMENT TO ITS CERTIFICATE OF)	<u>CERTIFICATE OF APPROVAL</u>
APPROVAL TO OPERATE AND MAINTAIN A)	
CABLE TELEVISION SYSTEM IN THE)	
TOWNSHIP OF ALLAMUCHY, COUNTY OF)	
WARREN, STATE OF NEW JERSEY)	

DOCKET NO. CE03010025
DOCKET NO. CE97070516

Schenck, Price, Smith & King, Morristown, New Jersey, by Sidney A. Sayovitz, Esq., for the Petitioner.

Township Clerk, Township of Allamuchy, New Jersey, by Anne Marie Tracy, for the Township.

BY THE BOARD:

On August 18, 1999, the Board granted a Renewal Certificate of Approval to TCI American Cable Holdings, L.P. ("TCI") for the Township of Allamuchy ("Township"), in Docket No. CE97070516. The expiration date as specified in that order is September 4, 2007. TCI filed its petition for an Automatic Renewal Certificate of Approval on July 29, 1997, prior to the issuance of the order issued in Docket No. CF97090674, on December 17, 1997, in which the Board approved the transfer of the Certificate of Approval for the Township from TCI to Cablevision of Paterson, Inc d/b/a Cablevision of Allamuchy ("Cablevision of Paterson, Inc."). Therefore, Cablevision of Paterson, Inc. was required to fulfill any commitments contained within the Automatic Renewal Certificate of Approval. On January 3, 2002, in Docket No. CO00030182, the Board approved an internal reorganization, which, in part, approved the conversion of Cablevision of Paterson, Inc. to a limited liability company, Cablevision of Paterson, LLC ("Petitioner").

The Petitioner and the Township entered into negotiations regarding amendments to the municipal consent ordinance granted by the Township and the Renewal Certificate of Approval issued to the Petitioner's predecessor. The Petitioner requested that the Township amend its local office provision to allow the Petitioner to close its office within the Township. In return, the Petitioner agreed to provide free Internet access to one location in the Township.

On October 17, 2002, the Township adopted an ordinance amending its municipal consent ordinance of July 2, 1981. On December 18, 2002, the Petitioner accepted the ordinance. On January 10, 2003, the Petitioner filed a petition for Amendment of the Automatic Renewal Certificate of Approval, pursuant to N.J.S.A. 48:5A-47 and N.J.A.C. 14:17-6.7. In its petition, the Petitioner requested that the Board approve an amendment to the municipal consent upon which the Renewal Certificate of Approval was based. On June 9, 2003, the Board approved the petition requesting the closure of the local office in Allamuchy in Docket No. CO03010180.

The Board has reviewed the petition for Amendment of the Certificate of Approval and the amended municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board **HEREBY FINDS** the following:

1. Section VIII of the ordinance and Provision No. 7 of the Automatic Renewal Certificate of Approval are amended to provide that the Petitioner shall establish and maintain during the entire term of the franchise a local area business office for the purpose of receiving, investigating and resolving complaints regarding quality of service, equipment malfunctions and similar matters. The current local office serving this provision is located at 683 Route 10 East in Randolph Township.
2. Upon written request of the Township, the Petitioner shall provide the Township, free of charge, with one cable modem and monthly Internet access, including standard installation, to one municipally owned designated building. The Township shall be permitted to network up to three additional personal computer terminals within the designated building at its own cost.

Therefore, the Petitioner is **HEREBY ISSUED** this Amendment to the Automatic Renewal Certificate of Approval as evidence of the Petitioner's authority to construct, operate and maintain a cable television system in the Township. The Amendment shall not affect any of the remaining terms and conditions of the Certificate of Approval issued by the Board in its grant of operating authority. This Amendment to the Automatic Renewal Certificate of Approval is subject to all applicable state and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein.

The Petitioner shall adhere to the standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. §76.1 et seq., including but not limited to, the technical standards 47 C.F.R. §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of the Certificate issued by the Board.

This Amendment to the Automatic Renewal Certificate of Approval is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

DATED: August 7, 2003

BOARD OF PUBLIC UTILITIES
BY:

(signed)

JEANNE M. FOX
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

(signed)

CAROL J. MURPHY
COMMISSIONER

(signed)

CONNIE O. HUGHES
COMMISSIONER

(signed)

JACK ALTER
COMMISSIONER

ATTEST:

(signed)

KRISTI IZZO
SECRETARY